

**Brunswick Ethics Commission**  
**Minutes**  
**August 17, 2005**

**Commission Members Present:** Chair Jamie Eshbaugh, Vice Chair Carroll Haugh, Member Robert Ward, and Advisory Member Frank Fortkamp.

**Mayor & Council Present:**

**Staff Present:** City P & Z Administrator Rick Stup, Temporary Staff Liaison; and Paul Rose, City Attorney

**Minutes**

The minutes of the July 20, 2005 meeting were reviewed and approved. (MOTION by Mr. Ward and seconded by Mr. Haugh unanimously passed.)

Chairperson Eshbaugh called the meeting to order at 7:00 PM.

**Chair:** No Announcements.

**Old Business:**

**Action Items**

Review of Action Items from the last meeting.

Mr. Stup reviewed the status of the Action Items from the last meeting and answered Commissioner questions. The items included Chief of Police Response Letter, Financial Disclosure Forms from Frederick City & County, Draft Ordinance Review Strategy List, Financial and Financial Disclosure Letters to affect City Officials. Staff noted that the only Board and Commissions sent the Annual Disclosure Notices were the Board of Appeals, Planning Commission and Ethics Commission. All required Elected Officials, Appointed Officials, Department Heads, etc. have been notified. The Mayor has requested Board/Commission Member information from the Council Liaisons, and will be getting the information to Staff. Once received, the additional notices will be sent.

**Draft Ordinance**

Review the status of draft Ordinance to amend the Ethics Ordinance to increase the number of members on the Commission from three (3) to Five (5).

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**Old Business Cont.**

**Draft Ordinance Cont.**

Mr. Stup indicated that the Ordinance had passed and was adopted by the Council at the August 9 Mayor & Council Meeting. The effective date of the Ordinance is August 24, 2005. Staff is currently advertising for the two new positions, and the Mayor hopes to have them filled for the September 21 Meeting. He stated that there has been one interested individual whose name has been sent to the Mayor for consideration.

**Election Disclosures Issue**

Review of the Election Disclosures and recommendation to the Mayor & Council

Mr. Rose reviewed and discussed his e-mail, and stated that the Commission had no jurisdiction with regards to Election Financing Disclosures. He recommended that the Commission forward a recommendation to the Mayor that a Board of Elections be established with Election Reporting Requirements.

Messrs. Rose and Stup answered questions to include procedural questions of the Commission.

**Decision**

Mr. Haugh made a motion to forward to the Mayor that Election Financial Reporting was not under the jurisdiction of the Ethics Commission, and that the Commission recommends that the City Establish a Board of Election with Election Requirements to include Financial Contribution Disclosure Criteria and Reporting Requirements; Mr. Ward seconded the motion.

**VOTE:   Yea   3   Nay   0**

**Financial Disclosures**

Review of Financial Disclosure Forms from other jurisdictions.

Messrs. Stup and Rose reviewed with the Commission the Annual Disclosure Forms for The City of Frederick, Frederick County, and the State of Maryland.

It was the consensus of the commission that Staff and the City Attorney would formulate the Commission's comments with regard to the forms and draft a City of Brunswick Form for the next meeting.

Questions arose with regard to the Lobbying Disclosures and reporting. It was determined that this was a separate issue and the City Attorney would prepare the

**Old Business Cont.**

**Financial Disclosures Cont.**

appropriate draft Lobbying Disclosure Forms for compliance with the current Ordinance. Staff would modify the County Disqualification Form for review at the next meeting.

It was also discussed that an Information Session with affected individuals was needed, and that all employees needed to be made aware of the Ethics Ordinance. Staff is to investigate possible dates to hold an Information Session with the affected Officials to review the new forms, and discuss with the City Administrator how to get the Ethics Information to all Employees in addition to the Elected Officials/ Department Heads, and Boards/Commission Members.

A discussion ensued with regard to the Special Election and the Financial Disclosure Requirement. It was the consensus of the Commission that the Financial Disclosures were to be required despite a form not approved for use. Staff was instructed to coordinate with the City Administrator with regards to Candidacy Applications and forward notification letters to those who have either filed or have obtained an application. Disclosures will be brought to the Commission for review.

**Review of Ethics Ordinance**

Review of Staff Draft Strategy by Title/Section with goal dates for completion of review of the Ethics Ordinance and other jurisdictions Ordinances for potential revisions.

Mr. Stup reviewed the draft Strategy for the review of the Ethics Ordinance.

After discussion it was the consensus for the Commission to proceed with the Strategy as drafted.

**Commission Work Goals**

Establish the work goals for the Commission and a tentative schedule.

Based on the Work Strategy approved for the review of the current Ethics Ordinance, it was determined that a schedule would not be established until the commission was into the Ordinance review. At that point the progress could be determined for completion. The City Attorney and Staff are to assemble the red line changes by section until the entire review is completed. The Commission agreed that a Workshop with the Mayor & Council to discuss the proposed changes was in order before the Ordinance to revise the Code was drafted. The tentative goal for completion and Workshop with the Mayor & Council is February 2006.

**New Business:** None

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**Comments:**

It was restated that the following would be completed for the next meeting:

- Staff is to forward the recommendation for the establishment of a Board of Elections with Election Financial Disclosure Requirements to the Mayor.
- Staff is to work with the Mayor to verify the existence of all Boards/Commissions and forward them the Annual Financial Disclosure Information.
- Staff and the City Attorney are to draft a City Annual Financial Disclosure Form for review at the next meeting.
- Staff to prepare a Notification of Financial Disclosure for Filing for Candidacy and distribute it to those who file/obtain Candidacy Applications.
- The City Attorney is to prepare the appropriate draft Lobbying Disclosure Forms.
- Staff is to prepare a draft Disqualification Form.

Mr. Stup reminded the Commission that the next meeting is September 21, 2005 at 7:00 PM.

**Adjournment**

The meeting was adjourned at 7:48

Respectfully submitted,

Jamie Eshbaugh, Chair  
Brunswick Ethics Commission